



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,721	01/03/2001	Bum Joo Seo	0465-0795P-SP	1215
2292	7590	11/17/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			VENT, JAMIE J	
			ART UNIT	PAPER NUMBER

2621

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/752,721

**Applicant(s)**

SEO, BUM JOO

**Examiner**

Jamie Vent

**Art Unit**

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 24 is/are pending in the application.
- 4a) Of the above claim(s) 3-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed August 22, 2006 have been fully considered but they are not persuasive. On pages 6-8 applicant argues that Gordon et al in view of Nijima fails to disclose, suggest, or teach a time-shifted PIP as recited in Claim 24. Gordon et al discloses in Column 26 Lines 5+ describes the non-real time multimedia content which can be described as a time shifting event through further evidence that the system allows freezing and return functions of the video as described in Column 14 Lines 10-20 and thereby meeting the limitation. Although, all of applicants points are understood the examiner can not agree and the rejection is maintained.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 24 are rejected under 35 U.S.C. 103(a) unpatentable by Gordon et al (US 6,481,012) in view of Nijima et al (US 5,903,314).

#### **[claim 1]**

In regard to Claim 1, Gordon et al, discloses a method for supporting a picture-in-picture (PIP) type time shifting comprising:

- receiving a plurality of broadcasting programs through a broadcasting network, and displaying the respective live broadcasting programs through a PIP structure on the screen (Figure 1 la shows the display of the real time broadcast programs (1004, 1006, and 1008) received from a broadcast network such as a cable television (Column 1 Lines 25-30);
- selecting one of the displayed plurality of broadcasting programs and displaying the selected one of the broadcasting programs on the screen (Figure 28 shows the selection of a broadcast program);
- time shifting the selected one of the displayed plurality of broadcasting programs (Figure 32 and described in Column 26 Lines 7+)
- storing in a storage section the time-shifted broadcasting program (Figure 14 shows the memory 1476 which stores the program that is selected to be stored as described in Column 13 Lines 48-56); however, fails to disclose a third display step of displaying through the PIP structure on the screen at least one of the live broadcasting programs simultaneously with the second display step.

Nijima et al discloses a system wherein programs are processed and displayed in a multi-screen as seen in Figure 20 and described in Column 10 Lines 9+. Additionally, it is noted that in Column 9 Lines 20-40 describe that the broadcasting channels that are being displayed are live broadcasting programs and time-shifted broadcasting programs that are entered through the system allows the viewer the ability to see multiple programs prior to selecting desired program for watching. Therefore, it would have

Art Unit: 2621

been obvious to one of ordinary skill in the art at the time of the invention to use the supporting picture-in-picture type time shifting apparatus, as disclosed by Gordon et al, and further incorporate a system that shows multi-channels through one screen, as described by Nijima et al.

**[claim 2]**

In regard to Claim 2, Gordon et al discloses a third display step further comprising the step of removing the picture of the selected broadcasting program reproduced through the time shifting, and displaying the plurality Of the currently received live broadcasting programs through the PIP (Figure 28 shows the selection of a real time/live broadcast which is reproduced as described in Column 14 Lines 10-20 and further displayed with the plurality Of currently received programs as seen in Figure 32 which shows the method Of displaying the various broadcast signals).

**[claim 3]**

In regard to Claim 3, Gordon et al discloses a method wherein the third display step further comprises the steps of:

- removing the corresponding live broadcasting program currently received and storing the corresponding live broadcasting program in the storage section (Figure 23a shows the object of each corresponding real time and non real time program to be displayed through the PIP while 23b shows the object and slice information that is stored from each program thereby further showing in Figure 31 the removing of the desired program and storing the section as described in Column 14 Lines 20+);

Art Unit: 2621

- reproducing the stored corresponding broadcasting program (Column 14 lines 10-20 describes the recording functions that are available to the user and further describes the reproducing Of the broadcasting program); and
- displaying the currently received live broadcasting program and the reproduced broadcasting program through the PIP structure on the screen (Figure 29 shows the method of displaying the live broadcast program which is selected for reproducing while Figure 27 shows the PIP display to the user).

**[claim 24]**

In regard to Claim 24, Gordon et al discloses a method for supporting a picture-in-picture (PIP) type time shifting, the method comprising:

- receiving a plurality of broadcasting programs through a broadcasting network receiving a plurality of broadcasting program lists through the broadcasting network, and displaying the broadcasting program lists on a screen (Figure 1 la shows the display of the real time broadcast programs (1004, 1006, and 1008) received from a broadcast network such as a cable television (Column 1 Lines 25-30);
- selecting one of the broadcasting program lists (Figure 28 shows the selection of broadcast);

Art Unit: 2621

- displaying the broadcasting programs based on the selected broadcasting program list (Figure 28 shows the displaying of the broadcast programs);
- time-shifting the selected one of the displayed plurality of broadcasting programs and storing in a storage section the time-shifted broadcasting program (Column 26 Lines 5+ describes the non-real time multimedia content which can be described as a time shifting event through further evidence that the system allows freezing and return functions of the video as described in Column 14 Lines 10-20); and
- displaying through a picture-in-picture (PIP) structure on the screen at least one of the live broadcasting programs simultaneously together with the time-shifted broadcasting program (Figure 14 shows the memory 1476 which stores the program that is selected to be stored as described in Column 13 Lines 48-56).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2621

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

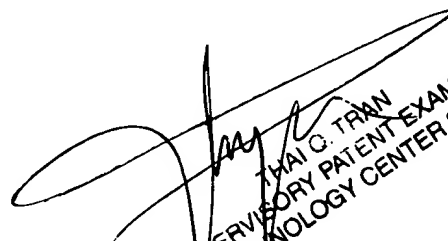
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jamie Vent



THAI G. TRAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600